

Message Text

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ACTION EB-11

INFO OCT-01 EUR-25 ADP-00 CAB-09 CIAE-00 COME-00 DODE-00

INR-10 NSAE-00 RSC-01 FAA-00 DOTE-00 PM-07 NSC-10

SS-15 L-03 RSR-01 /093 W

----- 068243

R 1713 Z JUN 73

FM AMEMBASSY BONN

TO SECSTATE WASHDC 5966

INFO AMCONSUL BREMEN

AMCONSUL DUESSELDORF

AMCONSUL HAMBURG

AMCONSUL STUTTGART

AMCONSUL FRANKFURT

AMCONSUL MUNICH

USBER BERLIN 2517

AMEMBASSY LONDON

AMEMBASSY PARIS

FAA BRUSSELS

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EO 11652: N/ A

TAGS: ETRN GW

SUBJECT: CIVAIR- CHARTER TRAFFIC RESTRICTIONS

REF (A) BONN 8609; (B) STATE 116521; (C) BONN 8466

1. SUMMARY: AFTER ALMOST FOUR WEEKS OF AIR TRAFFIC CONTROL SLOW-DOWN IN THE FRG, THERE IS NO INDICATION YET HOW AND WHEN THE SITUATION WILL BE RESOLVED. SO FAR, THE EMBASSY HAS NOT RECEIVED ANY REACTION TO ITS REPRESENTATIONS AT THE FONOFF REPORTED IN REF(A), ALTHOUGH A FONOFF OFFICIAL CONCERNED HAS SAID THAT WE WILL BE RECEIVING COMMENTS, PERHAPS IN A FEW DAYS. THE EMBASSY IS FOLLOWING UP ITS REPRESENTATIONS WITH A LETTER TO DR. REHM, DIRECTOR GENERAL OF CIVIL AERONAUTICS, WHO IS REPORTING DIRECTLY TO FEDERAL TRANSPORT MINISTER LAURITZEN IN THIS MATTER. A COPY

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OF THE LETTER WILL BE AIRPOUCHED. ACTION REQUESTED: THE DEPARTMENTS' CONCURRENCE, IN VIEW OF CIRCUMSTANCES DETAILED BELOW, IN DELAYING FURTHER REPRESENTATIONS TO THE FRG FOR THE PRESENT. END SUMMARY.

2. SINCE THE EMBASSY SENT REFTEL (C) THE AIR TRANSPORT SYSTEM IN THE FRG HAS BEEN SO HARD HIT THAT WE ARE NOT SURPRISED AT THE LESS THAN FORTHCOMING FRG RESPONSE TO OUR REPRESENTATIONS. THE SITUATION HAS DETERIORATED TO SUCH A POINT THAT IT HAS BECOME DIFFICULT TO SEE WHAT DRASTIC STEPS COULD BE TAKEN BY THE FRG TO ASSERT THE PRINCIPLE OF EQUALITY OF OPERATIONS AT ALL AIRPORTS AND YET MAINTAIN TRAFFIC TO THE DEGREE STILL IN EXISTENCE.

3. THE EMBASSY CONTINUES TO MAINTAIN ALMOST DAILY CONTACT WITH US CARRIER REPS. ON THE BASIS OF INFORMATION FROM THEM AND OTHER SOURCES IT APPEARS THAT ALTHOUGH THE LANGUAGE OF THE NOTAL (REFTEL C) WOULD APPEAR TO ESTABLISH PREFERENTIAL TREATMENT OF GERMAN VERSUS FOREIGN CARRIERS, THE ACTUAL SITUATION IS BY NO MEANS BLACK AND WHITE. LUFTHANSA (DLH) FOR INSTANCE, WHICH APPEARED TO BE EXEMPTED FROM RESTRICTIONS, IS HARD HIT BY THE ATC SLOW- DOWN. THE CARRIER REPORTS LOSSES OF DM 30 MILLION FOR THE FIRST TWO WEEKS AND CONTINUING LOSSES OF DM 1.5 TO 2.5 MILLION PER DAY. UNDER ITS VOLUNTARILY REDUCED SCHEDULES, DLH THROUGH JUNE 20 HAD TO CANCEL 1249 PASSENGER FLIGHTS AND, IN CONNECTION WITH REMAINING OPERATIONS, RECORDED A TOTAL OF 2830 HOURS OF DELAYS (HOLDING ON THE GROUND AND IN THE IAR). IN ADDITION, AN AVERAGE OF TEN CARGO AND MAIL FLIGHTS PER NIGHT HAVE HAD TO BE CANCELLED.

4. ON THE OTHER HAND, ALLIED REQUESTS THAT PRIORITY BE GIVEN TO THE BERLIN AIR SERVICES HAVE BEEN HEEDDED. OUR STATISTICS ON BERLIN TRAFFIC DELAYS CONFIRM THAT PAA AND BEA BERLIN OPERATIONS INCLUDING CHARTERS TO FRG DESTINATIONS ARE GETTING PREFERENTIAL TREATMENT IN ATC HANDLIN TO THE EXTENT TECHNICALLY FEASIBLE. THIS HAS BEEN CONFIRMED BY PAA OPERATIONS. (UNFORTUNATELY, THE NUMBER OF NO- SHOW PASSENGERS ON THE BERLIN SERVICES HAS BEEN INCREASING DURING THE PAST TEN DAYS SIMPLY BECAUSE PEOPLE ON SHORT HAUL RUNS ARE UNDER THE IMPRESSION THAT DAILY NEWS REPORTS ON MAXIMUM DELAYS ARE APPLICABLE TO ALL SERVICES.)

5. EMBASSY ALSO RECOGNIZES THAT US MILITARY AIRCRAFT TRAFFIC INTO AND OUT OF FRANKFURT, NOTABLY IN CONNECTION WITH EXERCISES, HAS BEEN RECEIVING HIGHEST PRIORITY. THIS RESULTED IN INDIVIDUAL LIMITED OFFICIAL USE
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DELAYS UP TO FOUR HOURS FOR ALL FRG COMMERCIAL TRAFFIC AT THE COUNTRY' S BUSIEST AIRPORT DURING SUCH AN EXERCISE PERIOD LAST WEEK.

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6. ALTHOUGH US CARRIERS REACTED SHARPLY TO THE NOTAM, AS DID THE EMBASSY, THEY HAVE ALSO ADOPTED A PRAGMATIC ATTITUDE WHICH APPEARS TO BE THE MOST SENSIBLE APPROACH UNDER THE CIRCUMSTANCES. THE SCHEDULE CARRIERS, PRIMARILY TWA, CONTINUE TO PROTEST THE DISCRIMINATORY ASPECTS OF THE NOTAM. BOTH SCHEDULED CARRIERS AND SUPPLEMENTALS, HOWEVER, ARE FILING FOR TRAFFIC CLEARANCES TO COLOGNE INSTEAD OF FRANKFURT (DUESSELDORF IS OF VERY MINOR IMPORTANCE TO THE NORTH ATLANTIC CHARTER TRAFFIC). US SUPPLEMENTAL REPS (ONA, STAURN, TIA) HAVE TOLD THE EMBASSY THAT MOST OF THEIR FLIGHTS FOR THE SUMMER ARE BEING OPERATED AS CLEARED UNDER FILLINGS MADE PRIOR TO THE NOTAM. SUBSEQUENT FILINGS, WHICH AVERAGE ABOUT 12 ONE- WAY FLIGHTS PER CARRIER THROUGH JULY 15, ARE PRIMARILY LATE SALES. ALL CARRIERS ARE NOW CONCENTRATING ON COLOGNE BECASUE USE OF THIS AIRPORT PERMITS THEM IN MOST CASES TO MAINTAIN AT LEAST THEIR OPERATING SCHEDULES WITH RESPECT TO AIRCRAFT TURN- AROUND TIME.

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WHILE THEY DO NOT LIKE THE EXTRA COST OF BUSSING PASSENGERS TO FRANKFURT THE LATTER APPEARS TO BE THE LEAST OF OTHER EVILS.

7. A RELIABLE FMT AVIATION OFFICIAL HAS TOLD THE EMBASSY ON A PERSONAL AND CONFIDENTIAL BASIS THAT THE FRG, RATHER THAN NEGOTIATE CONTROLLER DEMANDS UNDER THE PREVAILING CIRCUMSTANCES WOULD CONSIDER PROCLAIMING A STATE OF EMERGENCY UNDER ARTICLE 89 OF THE CHICAGO CONVENTION. IN THE HOPES THAT THIS MOST EXTREME STEP WILL NOT BECOME NECESSARY, ALL OTHER AVENUES OF BRINGING ABOUT AN ACCEPTABLE BASIS FOR NEGOTIATIONS ARE BEING EXPLORED.

8. COMMENT: THE EMBASSY BELIEVES, GIVEN ALL THE CIRCUMSTANCES

AND THE MAGNITUDE OF THE FRG'S PROBLEMS THAT IT WOULD BE BOTH
UNAVAILING AND HARMFUL TO OVERALL FRG/US AVIATION RELATIONS TO
PRESS OUR REPRESENTATION NOW BEYOND THE POINT WE HAVE REACHED.
WE PROPOSE FOR THE PRESENT TO LIMIT OURSELVES TO A LETTER FROM
THE EMBASSY ECON- COMMERCIAL MINISTER TO DIRECTOR GENERAL REHM,

RESTATING IN WRITING THE US OBJECTIONS TO THE
DISCRIMINATORY ASPECTS OF NOTAM MADE ORALLY AT THE FONNOFF AND THE
FMT. THE EMBASSY WOULD ALSO KEEP THE SITUATION UNDER REVIEW AND
RECOMENDFURHTER REPRESENTATIONS WHEN AND IF WARRANTED BY
FUTURE DEVELOPMENTS. ACTION REQUESTED: THE DEPARTMENT'S CON-
CURRENCE THAT ADDITIONAL, HIGHER LEVEL REPRESENTATIONS BE HELD
IN ABEYANCE FOR THE PRESENT.
HILLENBRAND

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